



# NEWS RELEASE

OFFICE OF THE UNITED STATES ATTORNEY  
WESTERN DISTRICT OF MISSOURI

**TODD P. GRAVES**

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**FOR IMMEDIATE RELEASE**

## **FIVE MEN INDICTED IN 2001 DENNY'S STABBING FOR FEDERAL CIVIL RIGHTS VIOLATIONS, STATE ASSAULT AND HATE CRIMES**

**SPRINGFIELD, Mo.** – Todd P. Graves, United States Attorney for the Western District of Missouri, R. Alexander Acosta, Assistant Attorney General for the Civil Rights Division of the Department of Justice, and Darrell L. Moore, Greene County, Mo., Prosecuting Attorney, announced today that five men have been indicted on both state and federal charges for a racially motivated gang attack against two Africa-American men at a Denny's restaurant in Springfield, Mo., on June 17, 2001.

The federal indictment alleges that the defendants violated the civil rights of their victims. The state indictment charges the defendants with assault, armed criminal action and hate crimes.

"This indictment marks the first federal civil rights prosecution in Springfield," Graves said. "The assault itself warrants prosecution, but a racially motivated attack leaves scars deeper than physical wounds, and injures the whole community. By working together to prosecute this case at both the state and federal level, justice is better served."

Maurice Wilson and Kenny Wright – who are African-Americans – were attacked after they entered the Denny's restaurant with two white women at approximately 1:30 a.m. on June 17, 2001. During the attack, Wilson was stabbed and seriously injured. Wright was threatened with a knife but sustained no physical injuries.

**Steven A. Heldenbrand**, 26, an inmate in the custody of the Missouri Department of Corrections; **Kenneth Francis Johnsen**, 27, of Hollister, Mo.; **Mark Thomas Kooms**, 27, and **Michael Shane McCormick**, 29, both of Springfield, Mo.; and **Michael Angelo Osorio**, 23, of California, were charged in a three-count indictment returned under seal by a federal grand jury in Springfield on Jan. 26, 2004. That indictment was unsealed and made public upon the arrest and initial court appearance of the defendants.

Each of the five defendants was also charged separately in state indictments filed on Jan. 22, 2004. **Kooms** was charged with unlawful use of a weapon (a hate crime), assault in the first degree, armed criminal action and assault in the third degree (a hate crime). **Heldenbrand, Johnsen, McCormick, and Osorio** were each charged with assault in the third degree (a hate crime). The defendants allegedly attacked Wilson as a gang.

Moore identified **Kooms** and **McCormick** as members of the white supremacist group Midland Hammerskins, which advocates racist views and violence. **Heldenbrand** was identified as a member of the Ku Klux Klan.

All of the defendants are in state or federal custody. **McCormick** appeared in federal court in Springfield on Feb. 3, 2004. **Kooms** was arrested by federal agents in Little Rock, Ark., and **Osorio** was arrested by federal agents in Riverside, Calif. Following an initial court appearance in those jurisdictions on Feb. 3, 2004, they will be transported to Missouri. **Johnsen** was arrested near Kansas City, Mo., on Feb. 2, 2003, on unrelated charges and is in state custody. **Heldenbrand** remains in the custody of the Missouri Department of Corrections.

"It is intolerable that such bias-motivated crimes persist in this day and age," said Acosta. "As this indictment makes clear, we will not countenance, and will vigorously prosecute, such naked racial thuggery. We are particularly pleased to join in that effort with our friends in state law enforcement."

Graves recalled that, in the days following the attack, many Springfield residents gathered at prayer meetings and rallies. "The citizens of Springfield showed their support for the victims of this crime and made a bold statement," Graves said. "This community will not tolerate racism. We will work to stamp out racist and violent acts. And we will bring to justice those who violate the civil rights of their fellow citizens."

"Our investigation has continued steadily for the past two years," Graves said, "and our determination has never wavered. It is good to stand with Darrell Moore today to publicly announce the successful conclusion of that investigation."

Count One of the federal indictment alleges that the defendants conspired to injure, oppress, threaten, and intimidate their victims in the free exercise and enjoyment of the rights and privileges secured to them by the Constitution and the laws of the United States, namely the right to the full and equal enjoyment of the goods and services of the Denny's restaurant, a place of public accommodation.

Count Two of the federal indictment alleges that the defendants, aided and abetted by one another, used a knife to injure, intimidate and interfere with the civil rights of Wilson because of his race and color, resulting in bodily injury.

Count Three of the federal indictment alleges that the defendants, aided and abetted by one another, used a knife to injure, intimidate and interfere with the civil rights of Wright because of his race and color.

In addition to the federal indictment, Moore said, **Kooms** is charged in a state indictment with unlawful use of a weapon (a hate crime) for allegedly exhibiting a knife in an angry or threatening manner, motivated because of the race of Wright. **Kooms** is also charged with assault in the first degree and armed criminal action for allegedly stabbing Wilson, and assault in the third degree (a hate crime) for allegedly causing physical injury to Wilson, motivated because of Wilson's race.

In addition to the federal indictment, Moore said, **Heldenbrand, Johnsen, McCormick,** and **Osorio** are each charged separately with assault in the third degree (a hate crime) for allegedly causing physical injury to Wilson, motivated because of Wilson's race.

Graves cautioned that the charges contained in the federal indictment are simply accusations, and not evidence of guilt. Evidence supporting the charges must be presented to a federal trial jury, whose duty is to determine guilt or innocence.

This case was investigated by the Federal Bureau of Investigation and the Springfield, Mo., Police Department.

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This news release, as well as additional information about the office of the United States Attorney for the Western District of Missouri, is available on-line at

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